

TOWNSHIP OF WALL

ORDINANCE NO. 22 - 1993

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER XIV, "LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF WALL", OF, "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, in the County of Monmouth and State of New Jersey as follows:

Section 1. Chapter XIV, "Land Use and Development Regulations", of "The Revised General Ordinances of the Township of Wall, 1977", Article III, "Procedures", Section 304, "Applications for Development", as amended and supplemented, be and the same is hereby further amended and supplemented by the addition thereto of the following subsection:

"14-304.9 - Technical Subdivisions.

While subdivisions are not usually required for non-residential developments, it is recognized that a commercial project to be developed pursuant to this chapter may be of such a size or type so as to make sectionalization by subdivision and the use of different forms of ownership a practical necessity. The Township recognizes that a technical subdivision for such a project may be required for marketing or financing purposes.

An application for technical subdivision

approval may be submitted with an application for approval of a non-residential site plan, or subsequent to the issuance of such an approval. Such an application shall be considered as a technical subdivision and treated as a minor subdivision application without the necessity to obtain bulk variances that would technically be required, subject to the following conditions:

a. The purpose of the application is to create a new lot for the purpose of financing or transfer of ownership within a development which is, or has been, the subject of site plan approval.

b. A technical subdivision may not substantially modify or otherwise adversely impact on the integrity of a previously approved development plan.

c. A technical subdivision must not reduce, limit or modify parking or access to parking.

d. If a technical subdivision includes the division of parking or other common areas or facilities, the subdivision shall be conditioned upon appropriate easements for parking, access, drainage and/or utilities where necessary."

Section 2. Chapter XIV, "Land Use and Development Regulations, of "The Revised General Ordinances of the Township of Wall, 1977", Article IV, "Zoning", Section 404,

"Zoning Map and Districts", as amended and supplemented, be and the same is hereby further amended and supplemented by the addition of the following:

"14-404.3 - Development in the OP-10, OLI-10 and GI-10 zone district shall occur on properties of no less than ten (10) acres. Where development is proposed in the form of an office park, office/light industrial park or general industrial park, no more than forty (40) percent of the lots may be developed, and subdivided to a minimum of two (2) acres. Bulk requirements for the two (2) acre lots shall be consistent with the OLI-2, OP-2 and GI-2 zones. Bulk requirements for lots five (5) acres or more shall be consistent with the OLI-5 and GI-5 zones. The design of the park shall provide common access to an arterial or collector road by an internal road system with at least 80 percent of the lots proposed fronting on the internal roads. Development of the parks may be approved in phases of one or more lots providing that applications for a phased development shall contain an overall concept plan for the entire tract, presenting, at a minimum, the boundaries of the entire tract, proposed lot and road layout, existing and proposed tree lines, and significant environmental characteristics such as, but not

limited to, steep slopes, wetlands, waterways and water courses, ponds and lakes."

Section 3. Chapter XIV, "Land Use and Development Regulations", Article IV, "Zoning", of "The Revised General Ordinances of the Township of Wall, 1977", Section 407, "Building Setbacks", as amended and supplemented, be and the same is hereby further amended and supplemented to read in full as follows:

"14-407.1 - General Setbacks

a. No building or structure shall be constructed within the boundaries of any flood plan or tidal marsh or within 50 feet of the top of the bank of any nontidal stream or river or within 50 feet of the mean high water line of any tidal stream or river."

Section 4. Chapter XIV, "Land Use and Development Regulations", of "The Revised General Ordinances of the Township of Wall, 1977", Article IV, "Zoning", Section 408, "Buildings and Structures", as amended and supplemented, be and the same is hereby further amended and supplemented to read as follows:

"14-408.8 - Buffers, Landscaping & Screening

a. At the time of construction, enlargement, alteration or increase of the capacity or change in use of any building, structure or property in the township, there shall be provided buffers,

landscaping and screening in accordance with the requirements of this section.

b. Buffers shall be established as follows:

Where any lot or property in an office, industrial, recreational or airport zone district or any lot or property developed for office, industrial, recreational, research, manufacturing, or other non-residential use abutts a residential zone, a landscaped buffer of at least 50 feet in width shall be permanently maintained along the property line(s) abutting the residential zone."

c. On any lot or property proposed for residential development of two or more lots or two or more residential units which abutts a property used for commercial, recreational, office, industrial, medical, manufacturing or airport purposes or a lot or property zoned for commercial, recreational, office, industrial or airport use, a landscaped buffer strip of at least 25 feet in width shall be permanently maintained along the property line abutting such use or zone.

Section 5. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

Section 6. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of

competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 7. This Ordinance shall take effect upon its passage and publication according to law.

NOTICE

Notice is hereby given that the forgoing ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on *Sept 14, 1993* and will be further considered for final passage and adoption at the Wall Township Municipal Building 2700 Allaire Road, Wall Township, New Jersey, on *Oct 12, 1993* at 8:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office in the Township of Wall, to the members of the general public who shall request same.

BEATRICE M. GASSNER, C.M.C.
Township Clerk